

STATE OF NEW JERSEY  
DEPARTMENT OF LAW & PUBLIC SAFETY  
DIVISION OF CONSUMER AFFAIRS  
BOARD OF DENTISTRY

### Administrative Action

## FINAL ORDER OF DISCIPLINE

This matter was opened to the New Jersey State Board of Dentistry upon receipt of information that Robert Ostrander, D.D.S. ("Dr. Ostrander" or "respondent"), whose license has been expired since 1995 and is thus suspended by operation of law in this State, had been convicted of attempted murder and aggravated assault in the State of Pennsylvania and that his Pennsylvania State dental license had been revoked by the licensing authority of that state. Based on that conviction and Pennsylvania State action, the Board issued a Provisional Order of Discipline on August 22, 2006 in which it made provisional findings of fact and conclusions of law. That order advised respondent that he had an opportunity to contest the provisional findings through submission of documentation within thirty business days of the entry of the Provisional Order.

Board staff sent the Provisional Order to both Dr. Ostrander's address of record (January 2008) and, on two occasions (September 2006 and August 2007) to the prison where he is incarcerated. No response has been received by the Board. While the Provisional Order advised of the Board's intention to revoke respondent's license, Dr.

Ostrander has not asked for a hearing in mitigation of the penalty to be imposed and has not provided any information for the Board's review. On April 2, 2008, the Board considered the matter. In the absence of a response from Dr. Ostrander, and given the serious nature of the conviction, the Board has determined to finalize the order as provisionally entered. As such, the following findings and conclusions are made.

#### FINDINGS OF FACT

1. Robert Ostrander, D.D.S. ("respondent"), was originally licensed to practice dentistry in the State of New Jersey on March 16, 1977. Respondent failed to renew his license prior to its expiration on October 31, 1995 and he has failed to renew his license since that date. As a result, respondent's license is currently suspended by application of N.J.S.A. 45:1-7.1(b).
2. On or about January 26, 2004, respondent was convicted of one count of attempted murder and one count of aggravated assault following a jury trial in the Commonwealth of Pennsylvania.
3. On or about March 31, 2004, respondent was sentenced to not less than five years nor more than ten years in the Pennsylvania State Correctional Institution, followed by five years reporting consecutive probation, plus restitution in the amount of \$200,000.
4. On or about April 26, 2005 respondent's license to practice dentistry in the Commonwealth of Pennsylvania was revoked by the Pennsylvania State Board of Dentistry based upon respondent's conviction of a felony in violation of the laws of the Commonwealth of Pennsylvania.

### CONCLUSIONS OF LAW

1. These above facts establish a basis for disciplinary action against respondent's license, pursuant to N.J.S.A. 45:1-21(g), in that respondent's license has been revoked by the Commonwealth of Pennsylvania for reasons consistent with other provisions of N.J.S.A. 45:1-21.

2. In addition, it appears to the Board that the above cited conviction is an act violating the provisions of N.J.S.A. 45:1-21(f), in that respondent has been convicted of and engaged in acts constituting a crime or offense involving moral turpitude and which relates adversely to the activity regulated by the Board.

ACCORDINGLY, IT IS on this 7<sup>th</sup> day of May, 2008,

ORDERED that:

1. Respondent's license to practice dentistry in the State of New Jersey is hereby revoked.

NEW JERSEY STATE BOARD OF DENTISTRY

By: \_\_\_\_\_

Maxine Feinberg, D.D.S.  
Board President